

1 Ahilan T. Arulanantham (SBN 237841)  
 2 arulanantham@law.ucla.edu  
 3 CENTER FOR IMMIGRATION LAW AND  
 4 POLICY, UCLA SCHOOL OF LAW  
 5 385 Charles E. Young Dr. East  
 6 Los Angeles, CA 90095  
 7 Telephone: (310) 825-1029

8 Emilou MacLean (SBN 319071)  
 9 emaclean@aclunc.org  
 10 Michelle (Minju) Y. Cho (SBN 321939)  
 11 mcho@aclunc.org  
 12 Amanda Young (SBN 359753)  
 13 ayoung@aclunc.org  
 14 ACLU FOUNDATION  
 15 OF NORTHERN CALIFORNIA  
 16 39 Drumm Street  
 17 San Francisco, CA 94111-4805  
 18 Telephone: (415) 621-2493  
 19 Facsimile: (415) 863-7832

20 Attorneys for Plaintiffs  
 21 [Additional Counsel Listed on Next Page]

22 Yaakov M. Roth  
 23 Acting Assistant Attorney General  
 24 Civil Division  
 25 Drew Ensign  
 26 Deputy Assistant Attorney General  
 27 Sarah L. Vuong (CA Bar 258528)  
 28 Assistant Director  
 29 William H. Weiland (MA Bar 661433)  
 30 Senior Litigation Counsel  
 31 Lauren Bryant (NY Bar 5321880)  
 32 Anna Dichter (NJ Bar 304442019)  
 33 Jeffrey Hartman (WA Bar 49810)  
 34 Luz Maria Restrepo (NY Bar 4907077)  
 35 Catherine Ross (DC Bar 9007404)  
 36 Amanda Saylor (FL Bar 1031480)  
 37 Eric Snyderman (VA Bar 99563)  
 38 Trial Attorneys  
 39 U.S. Department of Justice, Civil Division  
 40 Office of Immigration Litigation  
 41 General Litigation and Appeals Section  
 42 P.O. Box 868, Ben Franklin Station  
 43 Washington, DC 20044

44 Attorneys for Defendants

45 UNITED STATES DISTRICT COURT  
 46 NORTHERN DISTRICT OF CALIFORNIA  
 47 SAN FRANCISCO DIVISION

48 NATIONAL TPS ALLIANCE, MARIELA  
 49 GONZÁLEZ, FREDDY JOSE ARAPE RIVAS,  
 50 M.H., CECILIA DANIELA GONZÁLEZ  
 51 HERRERA, ALBA CECILIA PURICA  
 52 HERNÁNDEZ, E.R., HENDRINA VIVAS  
 53 CASTILLO, A.C.A., SHERIKA BLANC, VILES  
 54 DORSAINVIL, and G.S.,

55 Plaintiffs,

56 vs.

57 KRISTI NOEM, in her official capacity as  
 58 Secretary of Homeland Security, UNITED  
 59 STATES DEPARTMENT OF HOMELAND  
 60 SECURITY, and UNITED STATES OF  
 61 AMERICA,

62 Defendants.

63 Case No. 3:25-cv-01766-EMC

64 **STIPULATION REGARDING LATE-  
 65 PRODUCED DOCUMENTS AND  
 66 ~~[PROPOSED]~~ ORDER**

67 Assigned to: Hon. Edward M. Chen

68 Complaint filed: February 19, 2025

1  
2 Additional Counsel for Plaintiffs  
3 Jessica Karp Bansal (SBN 277347)  
jessica@ndlon.org  
4 Lauren Michel Wilfong (*Pro Hac Vice*)  
lwilfong@ndlon.org  
5 NATIONAL DAY LABORER  
ORGANIZING NETWORK  
6 1030 S. Arroyo Parkway, Suite 106  
Pasadena, CA 91105  
7 Telephone: (626) 214-5689  
8 Eva L. Bitran (SBN 302081)  
ebitran@aclusocal.org  
9 Diana Sanchez (SBN 338871)  
dianasanchez@aclusocal.org  
10 ACLU FOUNDATION  
OF SOUTHERN CALIFORNIA  
11 1313 West 8th Street  
Los Angeles, CA 90017  
12 Telephone: (213) 977-5236  
13 Erik Crew (*Pro Hac Vice*)  
ecrew@haitianbridge.org  
14 HAITIAN BRIDGE ALLIANCE  
4560 Alvarado Canyon Road, 1H  
15 San Diego, CA 92120  
Telephone: (949) 603-7411  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 Pursuant to Civ. L.R. 7-12, the parties, by and through their respective counsel, submit this  
 2 stipulation regarding Plaintiffs' use of late-produced documents in connection with their  
 3 forthcoming Opposition to Defendants' Motion for Summary Judgment and Reply in further support  
 4 of Plaintiffs' Motion for Partial Summary Judgment (Dkt. 165).

5 **WHEREAS**, on April 30, 2025, pursuant to the Parties' stipulation, this Court set the  
 6 following briefing schedule for the Parties' Cross-Motions for Summary Judgment:

- 7 • Plaintiffs shall file their Motion for Summary Judgment on or before May 26, 2025.
- 8 • Defendants shall file an Opposition to Plaintiffs' Motion for Summary Judgment and their  
   Motion for Summary Judgment on or before June 10, 2025.
- 9 • Plaintiffs shall file their Reply in further support of their Motion for Summary Judgment and  
 10   their Opposition to Defendants' Motion for Summary Judgment on or before June 20, 2025.
- 11 • Defendants shall file their Reply to Plaintiffs' Opposition to Defendants' Motion for  
 12   Summary Judgment on or before June 27, 2025.
- 13 • The Court shall hear argument on the Parties' Cross-Motions for Summary Judgment on July  
 14   11, 2025. Dkt. 124.

16 **WHEREAS**, on May 9, 2025, this Court granted the Parties' stipulated request that Plaintiffs  
 17 file their Motion for Summary Judgment on or before May 27, 2025, in light of the Memorial Day  
 18 holiday on May 26, 2025. The briefing schedule for the Parties' Cross-Motions for Summary  
 19 Judgment otherwise remained the same. Dkt. 134.

20 **WHEREAS**, on May 19, 2025, pursuant to Court Order, (*see* Dkts. 135, 143), Defendants  
 21 produced 77 documents responsive to Plaintiffs' first, second and sixth requests for production.

22 **WHEREAS**, on May 22, 2025, Defendants' counsel emailed Plaintiffs' counsel to notify  
 23 Plaintiffs that 159 documents from USCIS custodians that were potentially responsive to Plaintiffs'  
 24 requests for production were inadvertently not batched out for review. Defendants' counsel stated  
 25 that they intended to have the documents reviewed, and responsive, non-privileged documents  
 26 produced, by May 27, 2025, and offered to adjust the briefing schedule on the Parties' cross-motions  
 27 for summary judgment to accommodate this belated production.

1           **WHEREAS**, on May 23, 2025, the parties therefore stipulated to, and, on May 27, 2025, the  
 2 Court ordered, the following briefing schedule (Dkts. 149, 152):

- 3           • Plaintiffs shall file their Motion for Summary Judgment on or before June 3, 2025.
- 4           • Defendants shall file their Opposition and Cross-Motion for Summary Judgment on or before  
        5           June 17, 2025.
- 6           • Plaintiffs shall file their Reply in further support of their Motion for Summary Judgment and  
        7           their Opposition to Defendants' Motion for Summary Judgment on or before June 27, 2025.
- 8           • Defendants will waive their Reply in further support of their Motion for Summary Judgment.
- 9           • The Court will hear argument on the Parties' Cross-Motions for Summary Judgment on July  
        10           11, 2025.

11           **WHEREAS**, on May 27, 2025, Defendants filed a declaration explaining that (1) non-  
 12 governmental sources, such as personal phones, were not searched for responsive documents and (2)  
 13 "systematic issues" with their search tool had led to additional potentially responsive documents  
 14 from governmental sources not being reviewed. Dkt. 153-1.

15           **WHEREAS**, on May 30, 2025, the Court ordered Defendants to (1) ask the custodians at issue  
 16 whether they used non-governmental means to communicate regarding the TPS decisions, and, if so,  
 17 to meet and confer with Plaintiffs regarding an appropriate search of these non-governmental  
 18 sources; and (2) to complete production from all outstanding searches by June 6, 2025. Dkt. 161.

19           **WHEREAS**, the Parties agreed that, rather than seeking to delay the schedule further to  
 20 accommodate this production after the deadline for Plaintiffs' Motion for Summary Judgment, that  
 21 Plaintiffs could instead introduce and rely on any documents produced by Defendants after June 3,  
 22 2025 in connection with their Opposition to Defendants' Motion for Summary Judgment and Reply  
 23 in further support of Plaintiffs' Motion for Partial Summary Judgment; and

24           **WHEREAS**, on June 3, 2025, Plaintiffs filed their Motion for Partial Summary Judgment. Dkt.  
 25 165.

26           **IT IS THEREFORE STIPULATED AND AGREED**, by the Parties and subject to the  
 27 approval of the Court:

- Plaintiffs may introduce and rely on any documents produced by Defendants after June 3, 2025 in connection with their Opposition to Defendants' Motion for Summary Judgment and Reply in further support of Plaintiffs' Motion for Partial Summary Judgment.

IT IS SO STIPULATED.

Respectfully submitted,

Date: June 5, 2025

## ACLU FOUNDATION OF NORTHERN CALIFORNIA

Date: June 5, 2025

U.S. DEPARTMENT OF JUSTICE

/s/ *Sara L. Vuong*

---

Sarah L. Vuong  
Attorneys for Defendants

## **SIGNATURE ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest that each of the other Signatories have concurred in the filing of this document.

ACLU FOUNDATION  
OF NORTHERN CALIFORNIA

/s/ Emilou MacLean  
Emilou MacLean

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: June 5 , 2025

  
The Honorable Edward M. Chen  
United States District Judge